

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rodney G. Johnson Examiner: Mark Beauchaine
Serial No. 10/663,436 Group Art Unit: 3653
Filed: September 15, 2003 Docket No. PA0891.ap.US
Title: SHUFFLING APPARATUS AND METHOD

COMMUNICATION RE: ISSUE FEE TRANSMITTAL

MAIL STOP: ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Dear Sir:

We are transmitting herewith the following attached items and information (as indicated with an "X"):

- ☒ Form PTOL-85B (1 pg)
- ☒ Communication Re: Issue Fee Transmittal and check for \$1030.00
- ☒ Copy of Notice of Allowance and Issue Fee Due, Notice of Allowability, Examiner's Statement of Reasons for Allowance, Notice of References Cited, and Determination of Patent Term Adjustment
- ☒ Notification to Change Status Under 37 C.F.R. §1.28(b) (1 pg)
- ☒ Response Under 37 C.F.R. 1.312 with attachments
- ☒ Transmittal Sheet herein
- ☒ Return Postcard

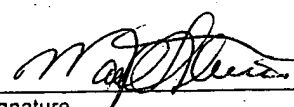
Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers if an additional extension of time is deemed necessary by the Office. Authorization is hereby given to charge Deposit Account Number 50-1391 if such additional extension is necessary.

MARK A. LITMAN & ASSOCIATES, P.A.
York Business Center, Suite 205, 3209 W. 76th St.
Edina, MN 55435 (952-832-9090)

By: 
Atty: Mark A. Litman
Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on 13 March 2006

Mark A. Litman
Name


Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Rodney G. Johnson	Examiner:	Mark Beauchaine
Serial No.	10/663,436	Group Art Unit:	3653
Filed:	September 15, 2003	Docket No.	PA0891.ap.US
Title:	SHUFFLING APPARATUS AND METHOD		

NOTIFICATION TO CHANGE STATUS UNDER 37 C.F.R. §1.28(b)

MAIL STOP: ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that entity status in the above-identified application, for purposes of paying reduced fees, be changed from small entity to large entity.

Please charge any additional required fees or credit overpayment to Deposit Account 50-1391.

Applicants assume the application is now in proper order and in condition for issuance. Please direct any inquiries to the undersigned attorney at (952) 832-9090.

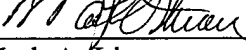
Respectfully submitted,

RODNEY G. JOHNSON

By His Representatives,

MARK A. LITMAN & ASSOCIATES, P.A.
York Business Center, Suite 205
3209 West 76th Street
Edina, Minnesota 55435
(952) 832-9090

Date: 13 March 2006

By: 
Mark A. Litman Reg. No. 26,390

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Serial No. 10/663,436 Group Art Unit: 3653
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Title: SHUFFLING APPARATUS AND METHOD

COMMUNICATION RE: ISSUE FEE TRANSMITTAL

MAIL STOP: ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the "Notice of Allowance and Issue Fee Due", dated December 12, 2005 (see enclosed copy), we submit the signed Issue Fee Transmittal along with Check No. 705283 in the amount of \$700.00 for the issue fee, \$300.00 for the publication fee and \$30.00 for 10 additional copies, for a total of \$1,030.00.

Also attached is Change of Entity Status. The Assignee is now considered a large entity. Please charge any additional fees to Deposit Account 50-1391.

Applicants assume the application is now in proper order and in condition for issuance. Please direct any inquiries to the undersigned attorney at (952) 832-9090.

Respectfully submitted,

RODNEY G. JOHNSON

By His Representatives,

MARK A. LITMAN & ASSOCIATES, P.A.
York Business Center, Suite 205
3209 West 76th Street
Edina, Minnesota 55435
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Date: 13 March 2006

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Mark A. Litman

Reg. No. 26,390

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Mark A. Litman
Name


Signature



Notice of Allowability

Application No.	Applicant(s)	
10/663,436	JOHNSON, RODNEY G.	
Examiner	Art Unit	
Mark J. Beauchaine	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to Amendment dated 11/23/05.
- ☒ The allowed claim(s) is/are 20,21 and 25-31.
- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - ☒ All b) ☐ Some* c) ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/380,943.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - ☐ hereto or 2) ☐ to Paper No./Mail Date _____
 - ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

Claims 20, 21 and 25-31 are allowed. Claims 1-19, 22-24 32 and 33 have been canceled by the Applicants. The following is an examiner's statement of reasons for allowance:

The Examiner considered Patent Numbers 5,374,061 by Albrecht and 6,039,650 by Hill to be the prior art most closely related to the Applicant's claimed invention. The Applicant's independent claims 20, 25 and 28 include the limitations of a shuffling apparatus incorporating a display device that indicates the particular suit and rank of a playing card. Although the card apparatus disclosed by said '061 patent incorporates display device 32 that identifies individual cards that have been played (column 6, lines 24 plus), said apparatus deals exclusively with a card dispenser and not a card shuffling device. Similarly, said '650 patent incorporates display 82 into a card dispenser that fails to include a card shuffling apparatus.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3653


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (571)272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mjb


DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNICAL CENTER 3600

**Notice of References Cited**

Application/Control No.

10/663,436

Applicant(s)/Patent Under
Reexamination
JOHNSON, RODNEY G.

Examiner

Mark J. Beauchaine

Art Unit

3653

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,039,650	03-2000	Hill, Otho Dale	463/47
*	B	US-5,374,061	12-1994	Albrecht, Jim	273/149R
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,436	09/15/2003	Rodney G. Johnson	PA0891.AP.US	1571

7590 12/12/2005

Mark A. Litman & Associated, P.A.
York Business Center
Suite 205
3209 West 76th Street
Edina, MN 55435

EXAMINER

BEAUCHAINE, MARK J

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 12/12/2005

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 155 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 155 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.